

### **III. REMARKS**

#### **Status of the Claims**

Claims 1, 7, 13 and 62-64 are amended. Claims 1, 3-7, 9-11, 13,16,19, 21-37 and 44,45,47, and 49-64 are presented for further consideration.

#### **Summary of the Office Action**

Claims 1,7 and 13 stand rejected under 35USC103(a) on the basis of the cited reference Sanemitsu, U.S. Patent No. 5,708,853, in view of the teaching of Koppa, U.S. Patent No. 6,088,746 and further in view of the teaching of Fukumitsu, et al, U.S. Patent No. 6,141,052.

Claims 3-5,9-11,16,21-29,31-37, and 44,45,47, and 49-61 stand rejected under 35USC103(a) on the basis of the combined teachings of the references Sanemitsu and Koppa, in view of the reference Fukumitsu and further in view of the reference Endsley, U.S. Patent No. 6,005,613.

Claim 6 stands rejected under 35USC103(a) on the basis of the reference Sanemitsu in view of the teachings of Koppa in view of Fukumitsu, in view of Endsley and further in view of the disclosure of Miyake, U.S. Patent No. 6,400,413.

Claims 19 and 30 stand rejected under 35USC103(a) based on the reference Sanemitsu in view of the teachings of Koppa and Fukumitsu and further in view of the disclosure of Hsieh, et al, U.S. Patent No. 5,969,750.

Claims 62-64 stand rejected under 35USC103(a) based on the reference Harris, et al, U.S. Patent No. 6,009,336 in view of the teachings of Aruga, et al, U.S. Patent No. 6,429,896.

The Examiner is respectfully requested to reconsider his rejection in view of the

above amendments and the following remarks.

Applicant has further amended the claims in this office action to make it clear that the control exerted by the electronic device is more than turning on the camera function, but further involves the control of the amount of image information, captured by the camera, that is transferred from the camera and the rate of the image information transfer. The control exercised by the electronic device serves to, if necessary, limit the amount of image data transferred to avoid overwhelming the limited resources of the electronic device. This leads to the advantages discussed below.

These amendments are submitted after final rejection in order to place the claims in condition for allowance or in the alternative to place the claims in better condition for appeal. The Examiner is requested to exercise his discretion and enter these amendments.

### **Discussion of the Cited References**

The Examiner continues to rely on the disclosure of the reference Fukumitsu as teaching, constructing the camera module as an integral part of the electronic device and controlling the quantity and rate of information transferred by the electronic device. Applicant continues to disagree with the Examiner's position in this regard.

Applicant submits that Fukumitsu, does not disclose or suggest the main distinguishing feature of the system and method as described in the claims of the subject application. This feature relates to the ability of the electronic device to control by limiting, if necessary, the amount of the digital image information, captured by an integral camera module, that is transferred to the electronic device. This feature functions to determine if it is necessary, to limit the amount of image data transferred, as determined by the electronic device, so as to avoid overwhelming the resources of the electronic device and avoid excessive power

usage. In this manner, the receiving electronic device is able to synchronize transfer and updating rates, and avoid the undesirable effects of discontinuous movements in the image and the processing of excess image data.

Applicant further disagrees with the position of the Examiner with respect to the integral nature of the camera module of the reference Fukumitsu.

The Examiner has repeated the rejection of pending independent claims 1, 7, and 13 on the basis of the combined teachings of the cited references Sanemitsu and Koppa, in view of the reference Fukumitsu.

Sanemitsu's patent relates to an IC card including an image input device and an acoustic input device (see abstract) which can be inserted into a corresponding IC card slot (column 1, lines 52 to 55) of a computer or personal assistant device in order to provide that device with image and sound transmission capabilities. In at least some embodiments, Sanemitsu's IC card can be inserted into a notebook-sized computer in such a way that it is completely enclosed by the structure of the computer (see Figures 3 and 4 together with their corresponding descriptions from column 3, line 60 to column 4, line 19). Nevertheless it is not integral as intended by the claims of this application.

Köppä's patent, on the other hand, relates in general to expansion cards for use with electronic devices such as mobile telephones or computers. As explained in column 1, in lines 11-31, such expansion cards are connected to the host device with a connector and are typically implemented according to a standard (e.g. the PCMCIA standard), which defines the function of each pin of the connector. Köppä's patent presents a mechanism enabling an operating mode of an IC card to be set by supplying a signal via a pin of a standard connector that is usually used for another purpose according to the standard (see, for example, column 3, lines 43 to 47, column 4 line 66 to column 5, line 19 and column 5, Table 1). As part of the disclosure of one of Köppä's embodiments, it is mentioned that data

is transferred in serial form between the expansion card and the electronic device to which it is connected (column 7, lines 25 to 34).

The claims of the present invention, on the other hand, relate to the transmission of image information between a camera module and an electronic device, where the camera module is an integral part of the electronic device. Neither Sanemitsu's IC card nor Köppä's expansion card are constructed as an integral part of their respective host devices. The Examiner acknowledges this deficiency by his reliance on the reference Fukumitsu as described above.

A careful review of the Fukumitsu reference reveals no mention of controlling the transfer of image data from the camera 18A to the electronic device to limit, if necessary, the amount of data transferred. In the excerpt referenced by the Examiner, the only mention of image transfer appears to be as follows:

**"By operating the keyboard 12 or the track pad 13, a desired image is picked up by the CCD 21, and it is input as image data into the personal computer 10. If necessary, the image data may be stored in a storage medium such as a hard disc or the like which is installed in the personal computer 10, or printed by a printer (not shown)."**

The Examiner concludes from this language that, by default, the image data storage function requires control by the electronic device. This is based on the assumption that there are limits to the capacity of a hard disc. Applicant submits that this does not teach a positive function of the electronic device controlling the transfer of imaged data to, if necessary, limit the amount received by the electronic device. It merely indicates that image data may be stored. It is not directed at solving the problems arising from overwhelming the resources of an electronic device with excess image data.

With respect to the nature of the construction of the camera of Fukumitsu, it is described in the summary of the invention as follows:

**"Further, the electronic camera which is detachably mounted on the mount recess portion secured to the portable personal**

**computer comprises a lens, an image pickup element, a cubic housing in which the lens and the image pickup element are accommodated and which is brought into contact with the curved-face support portion provided to the mount recess portion of the personal computer so as to be rotatable, and a connector for outputting image data obtained from the image pickup element through a cable."**

The Examiner's attention is also directed to column 5, lines 58-59 and column 6, lines 31-36. The teaching of Fukumitsu is to make the camera detachable not integral according to the claims of this invention.

Therefore, contrary to the Examiner's assertion, the reference Fukumitsu does not teach anything meaningful with respect to either feature (a) or feature (b) as designated by the Examiner.

Based on the above analysis, there are significant differences between the cited art and the present invention namely, that, in the prior art publications, only the capturing (and parameters relating to it) are controlled by the electronic device, for example the cited reference Endsley (US 6,005,613). According to the present invention, the amount of the digital information, captured by the camera module, to be transferred to the electronic device and rate of transfer of the images is controlled by the electronic device. Such controlling of the image transfer is not disclosed in the prior art publications.

In the cited references control by the host device relates to setting capturing parameters or functions /modes, but the actual transfer parameters (separately from the storing or mode settings) are not adjustable by the electronic device, i.e. the host computer.

Conventionally camera modules produce image data in a predetermined form at a rate determined by the camera module itself. Information produced by camera modules of prior art cannot be easily affected, whereby it may be necessary to conduct unnecessary functions in the device receiving the image signal,

particularly when the quantity of image information entering the receiving device exceeds the quantity that can be utilized in the receiving device. This transferring of unutilized image information consumes power to an unnecessary degree. Such unnecessary power consumption and any unnecessary functions by the receiving device, are avoided by controlling the transfer of the images by the host device, according to the present invention.

Besides the power consumption, also the size of the electronic device can be made smaller when using the camera module of the present invention. Further, the data transfer bus between the camera module and the electronic device can be made simpler and the connection means for connecting the camera module can be made simpler in the electronic device (paragraph [0021]).

Furthermore, the quantity of image information to be transferred can be adjusted, whereby, e.g., in viewfinder mode, it is possible to display images with less image information at a sufficient speed so that disturbing jerky movement is not shown in the image to be displayed on a display device. When taking the final picture, the quantity of image information is raised to a desired level.

Some camera modules provide the option of adjusting how often new image is transferred from the camera module. However, the quantity of information in each image is not changed. If the receiving device cannot process all images at the set updating rate but controls the camera module to transfer images at a slower rate, the updating rate may sink to such a low level that it can be detected in the image as discontinuous movement. Thus, the feature of adapting receiving electronic device to control the transfer of the image data has the further advantages of being able to synchronize transfer and updating rates, and thus enhancing the current presentation of the image data.

The feature of this invention relative to limiting the transfer of data is, therefore, significant and represents an advance in the art that is substantial. None of the references cited disclose this feature.

The Examiner has again rejected claims 62-64 on the basis of the disclosures of the cited references Harris and Aruga. The device of the reference Harris is briefly described in the Abstract according to the following:

**"A communication device (104) includes two housings (108, 110), each containing circuitry (114, 115, 116, 117, 118, 122, 123) for operating the communication device (104) in different modes (700, 702, 704, 706, 730, 732). The communication device (104) includes a latch (112) for detachably coupling the two housings (108, 110) and rotating one housing (110/108) with respect to the other (108/110). The communication device (104) switches between the different modes (700, 702, 704, 706, 730, 732) based on the attachment or detachment and the relative position of the housings (108, 110)."**

The housing 108 contains the basic components of the host device including power supply, microprocessor, memory and others. The housing 110 contains a display coupled to a camera and communicates with the housing 108 via IR modems 172 and 160.

The Examiner characterizes the camera module as follows:

**"Harris, et al disclose.....the camera module(user interface 123) being non-removable, integrated component of the electronic device (via swivel 190)....."**

This statement is not supported by the disclosure of Harris. the user interface comprises the display 184. The display is coupled to the camera 188 within housing 110 and the housing 110 is clearly described as detachable via latch 112 from the electronic device in housing 108. The system of Harris, et al is similar to that of the cited reference Sanemitsu. According to the Examiner's definitions,

the camera of housing 110 may be integrated with the electronic device of housing 108, but is not integral as required by the claims as amended.

This deficiency is not remedied by combination with the disclosure of Aruga, et al which is cited for showing a serial connection, similar to that of the reference Koppa.

The Examiner argues that there is nothing in Harris that points away from the camera module being integral, i.e. formed as whole. Applicant submits that the detachable feature is a significant feature of the device of Harris as evidenced by the first paragraph of the Detailed Description in Harris, as follows:

**"A communication device includes two housings, each containing circuitry operable when the communication device is in different modes. The communication device includes a latch for detachably coupling the two housings and permitting rotation of one housing with respect to the other. When the housings are attached and in a first alignment, the device operates in one mode. When the housing are attached and in a second alignment, the device operates in another mode. When the housings are detached, the device operates in yet another mode. By permitting detachment, the housings can be separately positioned as desired by a user. Also, user interface components of the communication device need not be positioned along a single surface of the device; thereby, helping to reduce the size of the device without reducing the device's utility."**

This clearly indicates that the camera module of Harris, is not an integral portion of the host device. No matter how it may be characterized when attached, the camera module of Harris is not "formed as a whole" according to the definition of the word "integral" and the claims of this application.

The cited reference Harris also lacks any teaching with respect to the control, by communication device 102, of image data transferred from camera 188. The Examiner refers to column 11, lines 49-59 of Harris as indicating such control. The only reference to control in this excerpt is as follows:



**"the controller 118 controls the wireless data transceiver 122 of housing 110 to route image data captured by the CCD camera 188 directly to the display 184 in a landscape orientation 1202."**

This does not constitute a teaching of control as described in the independent claims of this application.

### **The Issue of obviousness**

It is well settled that in order to establish a prima facie case for obviousness, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, without reference to the disclosure of this application.

Applicant submits that the above described deficiencies of the references Sanemitsu and Koppa are not remedied by the proposed combination with the teaching of any of the references Fukumitsu, Endsley, Harris, Aruga, or Hsieh. Similarly the deficiencies of the cited reference Harris are not remedied by combination with Aruga. None of the references cited by the Examiner either alone or in combination disclose a camera module that is constructed as an integral part of a host electronic device and that provides the feature of controlling the transfer of images by the host device.

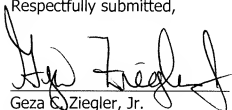
The combined references do not therefore support a prima-facie case of obviousness. The modification of the teachings of Sanemitsu, Koppa, Fukumitsu and Endsley, Hsieh, Harris and Aruga in order to obtain the invention, as described in the claims submitted herein, would not have been obvious to one skilled in the art.

The above arguments also apply to the rejections of the dependent claims.

In view of the remarks stated above, Applicant submits that all of the claims under consideration contain patentable subject matter and favorable action by the Examiner is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,



Geza C. Ziegler, Jr.  
Reg. No. 44,004

26 July 2006  
Date

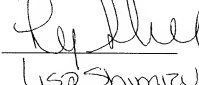
Perman & Green, LLP  
425 Post Road  
Fairfield, CT 06824  
(203) 259-1800  
Customer No.: 2512

CERTIFICATE OF ELECTRONIC FILING

I hereby certify that this correspondence is being deposited transmitted electronically, on the date indicated below, addressed to the Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: 26 July 2006

Signature:

  
Lisa Shimizu  
Person Making Deposit